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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,876	02/27/2004	Scott Musson	BEAS-01378US0	7119
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FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER KUMAR, ANIL N	
			ART UNIT 2109	PAPER NUMBER
			MAIL DATE 05/07/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/788,876

Applicant(s)

MUSSON ET AL.

Examiner

Anil N. Kumar

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is in response to the original filing of February 27th, 2004. Claims (1-80) are pending and have been considered below.

#### ***Claim Objections***

2. Applicant is advised that should claims 5-7 be found allowable, claims 28-30 and 48-50 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof.

When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

3. Applicant is advised that should claim 60 be found allowable, claim 67 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 80 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 80 is drawn to transmission medium per se. Transmission medium is not a series of steps or acts and this is not a process. Transmission medium is not a physical article or object and as such is not a machine or manufacture.

Transmission medium is not a combination of substances and therefore not a compilation of matter. Thus, transmission medium by itself does not fall within any of the four categories of invention. Therefore, Claim 80 is not statutory.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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7. Claims 1-80 are rejected under 35 U.S.C. 102(b) as being unpatentable over Anuff et al. (US 6, 327,628 B1).

Claims 1, 21, 40, 59 and 80: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI) (i.e. ...server presents initial view ... col 2 lines 1-27 and Fig. 2), comprising:

- providing for the representation of a GUI desktop (Fig. 2), a GUI look and feel (i.e. ...select from various look and feel templates ... col 2 lines 13-16) , and a GUI book (see Bookmarks in Fig. 2) as a set of controls wherein the controls can be organized in a logical hierarchy (i.e. ... as well as their order of appearance... col 4 lines 6-14 and Fig. 2);
- traversing the representation, wherein the traversing comprises: associating a theme with a first control in the set of controls(i.e. ... change its color scheme... col 3 lines 54-57 and Fig. 2) ;
- rendering the first control according to the theme (i.e. ...4. Assign styles to elements in page ... col 8 lines 22-49);
- rendering any descendents of the first control according to the theme (i.e. see hierarchy and ownership under the Legend in Fig. 4);
- wherein any descendents of the first control can override the theme (i.e. see hierarchy and ownership under the Legend in Fig. 4);
- and wherein one of the set of controls can communicate with another of the set of controls (See >Search< and >Company Directory< portals in Fig. 2).

Claims 2, 22, 42 and 61: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose:

- wherein: the desktop is a view of a portal (i.e. ...views are the front page of a portal ... col 6 lines 48-54 and Fig. 2);
- wherein the desktop can be represented by a desktop control (Fig. 2);
- and wherein the desktop control is hierarchically superior to the shell control and to the book control (see the Layout->Group->ModuleView hierarchy in Fig. 4).

Claims 3, 23, 43 and 62: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose:

- the look and feel determines the appearance of the portal (i.e. ...Site look and feel ... col 14 lines 54-63);
- wherein the look and feel can be represented by a look and feel control (see >Layout< in Fig. 2);
- and wherein the theme is a variation of the look and feel (see >Color< in Fig. 2).

Claims 4, 24, 44 and 63: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose:

- the book can be used to navigate to at least one portal page control (see >Bookmarks< , >News< portals in Fig. 2);
- and wherein the book is represented by a book control (see >XYZ Corp. Home Page< in Fig. 2).

Claims 5, 28, 48 and 64: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 1, 1 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: one of the set of controls can respond to an event raised by another of the set of controls (see >Search< in Fig. 2).

Claims 6, 29, 49 and 65: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 1, 1 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: a control can have an interchangeable persistence mechanism (see >manage persistence< in Fig. 4).

Claims 7, 30, 50 and 66: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 1, 1 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: a control can have an

interchangeable rendering mechanism (i.e. ... displaying some aspects of module's data ... col 7 lines 5-26).

Claims 8, 41, 60 and 67: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 40, 59 and 59 above, respectively. Furthermore, Anuff et al. disclose further comprising: accepting a request (Fig. 3).

Claims 9, 25, 45 and 68: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 8, 21, 41 and 67 above, respectively. Furthermore, Anuff et al. disclose wherein: the request in a hypertext transfer protocol (HTTP) request (i.e. ...contains a HTTP request ... col 6 lines 59-66 and Fig. 3).

Claims 10, 26, 46 and 69: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 8, 21, 41 and 67 above, respectively. Furthermore, Anuff et al. disclose wherein: the request originates from a Web browser (see Figs. 1 and 3).

Claims 11, 27, 47 and 70: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above,



respectively. Furthermore, Anuff et al. disclose further comprising: generating a response (i.e. ...contains a HTTP response ... col 6 lines 59-66 and Fig. 3).

Claims 12, 31, 51 and 71: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: a control can represent one of: button, text field, menu, table, window, window control, title bar, pop-up window, check-box button, radio button, window frame, desktop, shell, head, body, header, footer, book, page, layout, placeholder, portlet and toggle button (Fig. 2).

Claims 13, 32 and 72: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: associating the theme with the first control can occur when the first control is rendered (i.e. ... Portal Page Info object 48 tells the modules about the display characteristics...col 7 lines 51-53 and Fig. 4).

Claims 14, 33, 52 and 73: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: the first control inherits

the theme from a parent control (i.e. ... given the primary group, the portal web site can be written to exploit the style... col 15 lines 59-67).

Claims 15, 34, 53 and 74: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: the theme specifies the appearance and/or functioning of an control in the GUI (i.e. ...means of associating formatting intelligence with specific portions of a page.... Col 14 lines 66-67).

Claims 16, 35, 54 and 75: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: rendering the first control according to the theme can be accomplished in parallel with rendering of other controls (i.e. ...at the same time being able to view information... col 3 lines 32-36).

Claims 17, 36, 55 and 76: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: the theme can be specified in whole or in part by a properties file (i.e. ...upload style files-properties can be in multiple files- to the portal web site... col 15 line 32).

Claims 18, 37, 56 and 77: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 17, 36, 55 and 76 above, respectively. Furthermore, Anuff et al. disclose wherein: the properties file can include at least one of: 1) cascading style sheet; 2) Java Server Page; 3) Extensible Markup Language; 4) text; 5) Hypertext Markup Language; 6) Extensible Hypertext Markup Language; 7) JavaScript; and 8) Flash MX (i.e. ...create the style's source code in a file... col 15 lines 27-30).

Claims 19, 38, 57 and 78: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 17, 36, 55 and 76 above, respectively. Furthermore, Anuff et al. disclose wherein: the properties file can specify at least one image (i.e. ...upload style files-can include a image file- to the portal web site... col 15 line 32).

Claims 20, 39, 58 and 79: Anuff et al. disclose methods and media for rendering a portal graphical user interface (GUI), as in claims 1, 21, 40 and 59 above, respectively. Furthermore, Anuff et al. disclose wherein: the GUI is part of a portal on the World Wide Web (Figs. 1 and 2).

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. Smyth et al. (US 7,028, 261 B2) discloses a Intelligent internet website with hierarchical menu
  - b. Ballard et al. et al. (US 6,697,825 B1) discloses a Customization of tab-order functionality in internet applications
  - c. Cooper et al. (US 7,155,678 B2) discloses a Method, system, and software for generating and displaying custom views for accessing multiple applications
  - d. Horvitz et al. et al. (US 7,203,909 B1) discloses a System and methods for constructing personalized context-sensitive portal pages or views by analyzing patterns of users' information access activities
  - e. Biebesheimer et al. (US 6,778,193 B2) discloses a Customer self service iconic interface for portal entry and search specification
  - f. Lindhorst et al. et al. (US 6,268,852 B1) discloses a System and method for facilitating generation and editing of event handlers
  - g. Hearst (US 6,223,145 B1) discloses a Interactive interface for specifying searches
  - h. Robertson et al. et al. (US 6,697,825 B1) discloses a Display of hierarchical three-dimensional structures with rotating substructures

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil N. Kumar whose telephone number is (571) 270-1693. The examiner can normally be reached on Mon-Fri EST (Alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on (571) 272-6722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANK

4/27/2007

James Myhre

Supervisory Primary Examiner



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PRIMARY EXAMINER